APPEAL BRIEF UNDER 37 C.F.R. § 41.37

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Joel K. Young	Examiner: Bennett Ingvoldstad
Serial No.: 10/621,227	Group Art Unit: 2427
Filed: July 15, 2003	Docket: 977.056US1
For: Network Systems and Methods to Push Video	

APPEAL BRIEF UNDER 37 CFR § 41.37

Mail Stop Appeal Brief- Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Appeal Brief is presented in support of the Notice of Appeal to the Board of Patent Appeals and Interferences, filed on May 12, 2009, from the Final Rejection of claims 1-2 and 5-31 of the above-identified application, as set forth in the Final Office Action mailed on February 12, 2009 (hereinafter "the Office Action").

The Commissioner of Patents and Trademarks is hereby authorized to charge Deposit Account No. 19-0743 in the amount of $540.00 which represents the requisite fee set forth in 37 C.F.R. § 41.20(b)(2). The Appellant respectfully requests consideration and reversal of the Examiner's rejections of the pending claims.

1. REAL PARTY IN INTEREST

The real party in interest of the above-captioned patent application is the assignee, Digi International, Inc.

2. RELATED APPEALS AND INTERFERENCES

A Notice of Appeal was filed on June 4, 2009, for related Patent Application Serial No. 10/621,153, entitled "Network Systems and Methods to Pull Video," filed July 15, 2003.

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3. STATUS OF THE CLAIMS

In accordance with 37 CFR 41.37(c)(1)(iii) requiring a statement of the status of all claims, pending and canceled, Appellant submits the following:

The present application was filed on July 15, 2003, with claims 1-31.

A non-final Office Action was mailed September 19, 2007. In a response to the Office Action dated January 8, 2008, claim 3 was canceled. A Final Office Action was mailed March 28, 2008. In a response to the Final Office Action dated and submitted June 26, 2008, with a request for continued examination (RCE), claim 4 was canceled. A non-final Office Action was mailed August 25, 2008. A Final Office Action was mailed February 12, 2009. An Advisory Action was mailed May 13, 2009. Claims 1-2 and 5-31 stand twice rejected, remain pending, and are the subject of the present Appeal.

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4. STATUS OF AMENDMENTS

No amendments have been made subsequent to the Final Office Action which was mailed February 12, 2009.

5. SUMMARY OF CLAIMED SUBJECT MATTER

This summary is presented in compliance with the requirements of Title 37 C.F.R. § 41.37(c)(1)(v), mandating a "concise explanation of the subject matter defined in each of the independent claims involved in the appeal …". Nothing contained in this summary is intended to change the specific language of the claims described, nor is the language of this summary to be construed so as to limit the scope of the claims in any way.

Aspects of the present inventive subject matter include, but are not limited to, NETWORK SYSTEMS AND METHODS TO PUSH VIDEO.

Independent Claim 1 (FIGS. 1 and 2; page 3, line 22 - page 6, line 6)

Some of the embodiments claimed are related to a system (100), comprising: at least one video display (120), at least one media server (140), at least one video file server (130), and a web client (150). Each media server (140) communicates with one or more of the video displays (120). Each video file server (130) includes a number of video files (132) that include video content (134) to be selectively displayed on a video display (120).

The web client (150) communicates with each video file server (130) through a network (110) to configure at least one playlist (145) in the video file server (130), each playlist (145) including at least one track (220), wherein the track (220) includes an identifier (230) to select one or more of the number of video files and includes at least one logical action (240) related to playing the playlist (145).

Each video file server (130) is configured to push video content from a selected video file in the video file server (130) to a selected media server (140) based on the playlist (145). Each video file server (130) includes a virtual display driver, that appears to be a video display to the video file server (130), to translate video content (134) into application independent video content, thereby not requiring the media server (140) to decode pushed video content, and each media server (140) to translate the pushed video content into a video output signal suitable for display on the video display (120).

Independent Claim 16 (FIGS. 5 and 2; page 9, line 22 - page 10, line 8)

Some of the embodiments claimed are related to a video file server (130) comprising memory and a processor (510). The memory stores video files (132) and at least one playlist (145). Each video file (132) including video content (134) to be selectively displayed on at least one video display. Each playlist (145) including a list of identifiers for video files, a file server location of the video files, and at least one track (220). The track (220) includes an identifier (230) to select one or more of the number of video files (132) and includes at least one logical action (240) related to playing the playlist.

The processor (510) executes application specific software to push the selected video content according to the playlist (145) to at least one media server for display. The processor (510) includes a virtual display driver configured to translate video content into application independent video content, thereby not requiring the media server to decode pushed video content.

Independent Claim 23 (FIG. 6; page 10, lines 9 - 15)

Some of the embodiments claimed are related to a method of distributing video information, comprising from a first network location, configuring (610) a playlist of video files, the video files being stored in at least one second network location. From the second network location, executing (620) a playlist, wherein executing includes: accepting application specific video content associated with a video file identified in a track of the playlist, translating the video content to application independent video content according to at least one logical action included in the track of the playlist, and pushing (630) the video content to a third network location according to the playlist. From the third network location, translating (640) the video content into a video output signal suitable for display.

This summary does not provide an exhaustive or exclusive view of the present subject matter, and Appellant refers to each of the appended claims and its legal equivalents for a complete statement of the invention.

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6. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

I. Claims 1-2, 5-6, 8-19, 23-26, and 28-31 were rejected under 35 U.S.C. § 103(a) as being obvious over Belknap et al. (U.S. Patent No. 6,763,377; hereinafter "Belknap"), in view of Zhu et al. (U.S. Patent No. 6,763,501; hereinafter "Zhu") and the SMIL Specification (SMIL 2.0 W3C Recommendation).

II. Claims 7, 20-22, and 27 were rejected under 35 U.S.C. § 103(a) as being obvious over Belknap, in view of Zhu, the SMIL specification, and Duso (U.S. Patent No. 5,892,915).

7. ARGUMENT

A)   Rejections under 35 U.S.C. § 103(a).

The Appellant traverses the rejection of these claims because a proper *prima facie* case of obviousness has not been established.

1)   The Applicable Law under 35 U.S.C. §103(a)

As discussed in *KSR International Co. v. Teleflex Inc. et al.* (U.S. 2007), the determination of obviousness under 35 U.S.C. § 103 is a legal conclusion based on factual evidence. See *Princeton Biochemicals, Inc. v. Beckman Coulter, Inc.*, 411 F.3d 1332, 1336-37 (Fed.Cir. 2005). The legal conclusion, that a claim is obvious within § 103(a), depends on at least four underlying factual issues set forth in *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1, 17, 86 S.Ct. 684, 15 L.Ed.2d 545 (1966): (1) the scope and content of the prior art; (2) differences between the prior art and the claim at issue; (3) the level of ordinary skill in the pertinent art; and (4) evaluation of any relevant secondary considerations.

The Examiner has the burden under 35 U.S.C. § 103 to establish a *prima facie* case of obviousness. *In re Fine*, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *M.P.E.P.* § 2142 (citing *In re Vaeck*, 947 F.2d, 488, 20 USPQ2d 1438 (Fed. Cir. 1991)).

Additionally, there must be a rational underpinning grounded in evidence to support the legal conclusion of obviousness. See *In re Kahn*, 78 USPQ2d 1329 (Fed. Cir. 2006), which states that "rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." *In re Kahn* citing *In re Lee*, 61 USPQ2d 1430 (Fed. Cir.2002). Additionally, "mere identification in the prior art of each element is insufficient to defeat the patentability of the combined subject matter as a whole." *In re Kahn.*

A showing of "teaching, suggestion, or motivation" to combine the prior art to meet the claimed subject matter could provide a helpful insight in determining whether the claimed subject matter is obvious under 35 U.S.C. § 103(a). *KSR International Co.*, p. 14, line 24 through p. 15, line 8. The court in KSR made it clear, however, that the "teaching, suggestion, or motivation" (TSM) test is only one tool that can be used to determine obviousness, noting that the Examiner or court simply has to "determine whether there was an apparent reason to combine the known elements in the fashion claimed by the patent at issue." *Id*. p. 14, lines 5-17. The court in KSR further noted that "to facilitate review, this analysis [supporting a rejection under 35 U.S.C. § 103(a)] should be made explicit." *Id*.

Specifically, the Office Action must provide specific, objective evidence of record for a finding of a suggestion or motivation to combine reference teachings and must explain the reasoning by which the evidence is deemed to support such a finding. *See KSR Int'l Co.*, p. 14, citing *In re Kahn*, 441 F. 3d 977, 988 (Fed. Cir. 2006); *In re Sang Su Lee*, 277 F.3d 1338, 61 USPQ2d 1430 (Fed. Cir. 2002).

Even if adding an element to a prior art was obvious, that does not establish that the claimed invention encompasses obvious subject matter. *KSR Int'l. Co.*, p. 19, ¶ 1. Instead, the following factors can still be considered to determine whether a claimed invention at issue is nonobvious under 35 U.S.C. § 103(a): (1) whether the claimed invention yields more than predictable results (id. p. 12, ¶¶ 1-2); (2) whether there are technical difficulties in combining the prior arts, requiring substantial reconstruction or redesign (id. p. 19, ¶ 1); (3) whether the prior art cannot be upgraded to or teaches away from the claimed invention (id. p. 22, ¶ 2); (4) whether the prior arts have secondary factors which may 'dislodge' obviousness – "long felt and unresolved needs," "the failure of others," "commercial success" (id. p. 2, ¶ 3); and (5) whether the prior arts require elements of the invention to be read using hindsight to be relevant to the claimed invention (p. 17, ¶ 3).

Therefore, the test for obviousness under §103 must take into consideration the invention as a whole; that is, one must consider the particular problem solved by the combination of elements that define the invention. *Interconnect Planning Corp. v. Feil*, 774 F.2d 1132, 1143, 227 USPQ 543, 551 (Fed. Cir.1985). The Examiner must, as one of the inquiries pertinent to any obviousness inquiry under 35 U.S.C. §103, recognize and consider not only the similarities but

also the critical differences between the claimed invention and the prior art. *In re Bond*, 910 F.2d 831, 834, 15 USPQ2d 1566, 1568 (Fed. Cir. 1990), *reh'g denied*, 1990 U.S. App. LEXIS 19971 (Fed. Cir.1990). The fact that a reference teaches away from a claimed invention is highly probative that the reference would not have rendered the claimed invention obvious to one of ordinary skill in the art. *Stranco Inc. v. Atlantes Chemical Systems, Inc.*, 15 USPQ2d 1704, 1713 (Tex. 1990). When the prior art teaches away from combining certain known elements, discovery of a successful means of combining them is more likely to be nonobvious. *Id.* p. 4 citing *United States v. Adams*, 383 U.S. 39, 51-51 (1966). Additionally, critical differences in the prior art <u>must</u> be recognized (when attempting to combine references). *In re Bond*, 910 F.2d 831, 834, 15 USPQ2d 1566, 1568 (Fed. Cir. 1990), *reh'g denied*, 1990 U.S. App. LEXIS 19971 (Fed. Cir.1990).

In order to take into account the inferences which one skilled in the art would reasonably make, the Examiner must ascertain what would have been obvious to one of ordinary skill in the art at the time the invention was made. *M.P.E.P.* § 2141.03 (citing *Environmental Designs, Ltd. v. Union Oil Co*, 713 F.2d 693, 218 USPQ 865 (Fed. Cir. 1983), *cert. denied*, 464 U.S. 1043 (1984)).

> The examiner must step backward in time and into the shoes worn by the hypothetical "person of ordinary skill in the art" when the invention was unknown and just before it was made. In view of all factual information, the examiner must then make a determination whether the claimed invention "as a whole" would have been obvious at that time to that person. Knowledge of Appellants' disclosure must be put aside in reaching this determination, yet kept in mind in order to determine the "differences," conduct the search and evaluate the "subject matter as a whole" of the invention. The tendency to resort to "hindsight" based upon Appellants' disclosure is often difficult to avoid due to the very nature of the examination process. However, impermissible hindsight must be avoided and the legal conclusion must be reached on the basis of the facts gleaned from the prior art.

M.P.E.P. § 2141.03.

2)   **Discussion of the rejection of claims 1-2, 5-6, 8-19, 23-26, and 28-31 under 35 U.S.C.**

§ 103(a) as being unpatentable over Belknap, Zhu, and the SMIL Specification.

I.   *The proposed combination of Belknap, Zhu, and the SMIL Specification does not*

provide every element of claims 1, 16, and 23:

Independent claim 1 recites in part, a system including

> a web client … to configure at least one playlist in the video file server, each
> playlist including at least one track, wherein the track includes an identifier to
> select one or more of the number of video files and includes at least one logical
> action related to playing the playlist.

Independent claim 16 recites in part, a video file server including

> a memory to store video files and at least one playlist … each playlist including a
> list of identifiers for video files, a file server location of the video files, and at
> least one track, wherein the track includes an identifier to select one or more of
> the number of video files and includes at least one logical action related to playing
> the playlist.

Independent claim 23 recites in part a method including

> from the second network location, executing a playlist, wherein executing includes:
> … translating the video content to application independent video content
> according to at least one logical action included in the track of the playlist.

The Office Action concedes that Belknap in view of Zhu does not expressly teach that the

track includes at least one logical action related to playing a playlist, but that such a playlist

format is found in the SMIL Specification (*see,* Office Action, pg. 6). However, the SMIL

Specification relates to an XML-based language that allows authors to write interactive

multimedia presentations (*see,* SMIL Specification, Abstract). The result is apparently an

ordering of video content for interactive control of a presentation of animation or discrete media,

rather than a playlist for a remote device. Thus, Belknap, Zhu, and the SMIL Specification

together with the reasoning of the Office Action do not provide each and every element recited in

the claims.

The Advisory Action states that a combination of the SMIL Specification with Belknap

(as in FIG. 32) provides a playlist for a remote device (*see,* Advisory Action, pg. 3, first

paragraph). However, Belknap with the SMIL Specification does not provide the recited playlist format.

FIG. 32 of Belknap refers to a GUI screen 1200 which provides an interface for multicasting existing media assets (*see, e.g.,* Belknap, col. 40 lines 53-55). The GUI screen 1200 includes a schedule list 1214 for displaying a list of schedule entries (*see,* col. 41 lines 4-15). Section 11.1.1 of the SMIL Specification shows an ordering of video content in an XML language for interactive control of a presentation of animation or discrete media. Attributes are provided to apparently simulate mechanical motion of an image (*see, e.g.,* sect. 11.1.2) rather than logical actions related to playing the playlist. Therefore, the commands of the SMIL Specification with the GUI interface of Belknap do not provide the playlist format for a remote device as is recited in the these claims. Thus, Belknap, Zhu, and the SMIL specification together with the reasoning of the Office Action do not provide each and every element recited in the claims, and a proper *prima facie* case of obviousness has not been established with respect to independent claims 1, 16, and 23.

II.   *The proposed combination of Belknap, Zhu, and the SMIL Specification does not provide every element recited in dependent claim 31*

Claim 31 recites in part wherein configuring a playlist includes downloading an existing playlist from the video file server at the second network location to the computer, editing the playlist, and uploading the edited playlist from the computer to the video file server.

The Office Action asserts that this is found in Belknap (*see,* Office Action, pg. 17). However, Belknap does not refer to editing an existing playlist as a playlist is recited in claim 23. Instead, Belknap refers to receiving a global schedule Web document associated with a specified user from a global asset management server (*see,* Belknap col. 48 lines 1-32). Belknap states that the Web document includes all server identification information, operation information, and scheduling information associated with each operation, or event, scheduled by the corresponding user via the asset management and scheduling GUI process. Therefore, Belknap refers to editing at a global level for a user instead of editing the recited playlist. Thus, Belknap, Zhu, and the SMIL specification together with the reasoning of the Office Action do not provide each and every element recited in, or incorporated into, claim 31.

III.   *One of ordinary skill would not reasonably be led to combine the SMIL specification with Belknap to form what is being claimed by Appellant:*

Belknap refers to an administrator terminal that receives user input that includes operation information via a GUI and generates commands based on the operation information. The GUI includes a plurality of interface components on a display unit of the administrator terminal to define and schedule media operations to be performed by selected ones of the media servers on corresponding portions of media data (*see,* Belknap, col. 5 lines 14-30).

As set forth previously, the SMIL Specification relates to an XML-based language that allows authors to write interactive multimedia presentations for direct presentations on a screen rather than to form a playlist for a remote device. The XML-based language provides for creation of animation effects (*see e.g.,* Sect. 11.1.3). One of ordinary skill in the art would not reasonably be led to combine Belknap and the SMIL Specification because the direct presentations resulting from the SMIL Specification would not be useful for scheduling the media operations in Belknap.

The Office Action asserts that the simple substitution of SMIL replacing the playlist of format disclosed in Belknap would have been obvious, because such a substitution would have produced predictable results in view of SMIL's utility for playing videos according to a playlist, as required by the video server of Belknap in view of Zhu.

However, Belknap states that a media server is operative to access a media device for storing media data, to transfer portions of media data to selected locations, to stream media data to selected ones of end user terminals, and to maintain a catalog of pointers to media assets (*see,* Belknap col. 4, line 67 - col. 5, line 10). Although Belknap states that at least one media serve is operative to encode and parse portions of media data to create media assets, Belknap does not state that a media server is able to perform the interactive operations required by the SMIL Specification. Therefore, one of ordinary skill in the art would not reasonably be led to combine Belknap with the SMIL Specification to form what is being claimed by the Appellant.

IV.   One of ordinary skill would not reasonably be led to combine Zhu with Belknap to form what is being claimed by Appellant:

Belknap refers to a process of managing media data in a network system including an administrator terminal, a media server, and a plurality of end user terminals (*see,* Belknap, col. 4, line 60 through col. 5, line 2). User input is received at the administrator terminal and the process includes generating commands and transmitting commands and associated parameters to the selected media server via the network (*see,* Belknap, col. 5, lines 11-35). In Zhu, the owner of a remote document serving application selects a remote application to view, and in response, the file editing application is invoked, generating an application screen (*see,* Zhu, col. 7, approx. lines 27-30). Thus, in Zhu the commands are not transmitted to a server as in Belknap, and combining Zhu with Belknap would return the commands from a video server to a location such as the administrator terminal of Belknap or the location of the user in Zhu.   At best, the combination of Belknap and Zhu would teach a different way of implementing the interface between the administration terminal and the media server, not between the video file server and the media server as described and claimed by Appellant.

Therefore, one of ordinary skill would not reasonably be led to combine Zhu with Belknap to form what is being claimed by Appellant.

3)   Discussion of the rejection of claims 7, 20-22, and 27 under 35 U.S.C. § 103(a) as being unpatentable over Belknap, Zhu, the SMIL Specification, and Duso.

I.   The proposed combination of Belknap, Zhu, the SMIL Specification, and Duso does not provide every element incorporated into these claims from base claims 1, 16, and 23:

Claim 7 ultimately depends on claim 6, claims 20-22 ultimately depend on base claim 16, and claim 27 ultimately depends on base claim 23. As set forth above, Belknap, Zhu, and the SMIL specification do not teach or suggest all of the elements of the base claims. Duso fails to teach or suggest the missing elements. For example, Applicant cannot find in the cited portions of Belknap, Zhu, the SMIL specification, or Duso, among other things,

at least one playlist in the video file server, each playlist including at least one
track, wherein the track includes an identifier to select one or more of the number
of video files and includes at least one logical action related to playing the
playlist,

as similarly incorporated into claims 7, 20-22, and 27. Thus, a proper *prima facie* case of

obviousness has not been established with respect to these claims.

II.   *The proposed combination of Belknap, Zhu, the SMIL Specification, and Duso does not provide every element incorporated into claim 7 from base claim 1:*

The Office Action concedes that Belknap with Zhu does not provide "The system of

claim 6, wherein the logical actions are configured at least in part in real time by a user using the

web client" as recited in claim 7, but asserts that this is taught by Duso (*see,* Office Action, pg.

18).

In claim 7, as modified by the elements of base claim 1 and intervening claims 5 and 6,

the web client is separate and remote from the media server. In contrast, Duso states that a play

list of clips are transmitted in sequence to the client which is making the request to change the

stream (*see,* Duso, col. 33, lines 11-14). Thus, in Duso the receiver of the video content is

changing the stream, instead of a web client changing video content streamed to a media server

that is separate from the web client, and Duso does not produce the recited playlist in real time as

recited in claim 7. Therefore, the proposed combination of Belknap, Zhu, the SMIL

Specification, and Duso does not provide all of the elements recited in and incorporated into

claim 7.

III.   *One of ordinary skill would not reasonably be led to combine Duso with Belknap, Zhu, and the SMIL Specification to form what is being claimed by Appellant:*

For the reasons set forth above, one of ordinary skill would not reasonably be led to

combine Belknap, Zhu, and the SMIL Specification to form what is being claimed by the

Appellant. Additionally, one of ordinary skill in the art would not reasonably be led to combine

Duso with the SMIL Specification. As mentioned previously, the SMIL Specification relates to

an XML-based language that allows authors to write interactive multimedia presentations. Duso

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relates to a protocol and interface that allows a playlist to be edited dynamically after being given to a video server (*see,* Duso, Abstract.). In Duso, the playlist is a doubly-linked list, and the video file server responds to a client request by linking or unlinking corresponding clip identifiers to or from the client's playlist (*see,* Duso, col. 33, lines 14-22). Duso does not provide how the video file server would manipulate the XML-based language of SMIL to change video content for display. Therefore, one of ordinary skill in the art would not reasonably be led to combine the SMIL specification with Duso to form what is being claimed by the Appellant.

Therefore, Appellant respectfully submits that claims 1-2 and 5-31 are in condition for allowance, and withdrawal of the rejection to claims 1-2 and 5-31 is respectfully requested.

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SUMMARY

For the reasons argued above, claims 1-2 and 5-31 were not properly rejected under § 103(a) as being unpatentable over Belknap, Zhu, the SMIL Specification, and Duso. It is respectfully submitted that these documents do not render the claims obvious.

Therefore, reversal of the rejection and allowance of the pending claims are respectfully requested. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date July 9, 2009   By /Paul J. Urbanski/
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: MS Appeal Brief- Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 9th day of July 2009.

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Signature

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CLAIMS APPENDIX

1.   A system, comprising:

at least one video display;

at least one media server, each media server to communicate with one or more of the at least one video display;

at least one video file server, each video file server including a number of video files, each video file including video content to be selectively displayed on the at least one video display;

a web client to communicate with each video file server through a network to configure at least one playlist in the video file server, each playlist including at least one track, wherein the track includes an identifier to select one or more of the number of video files and includes at least one logical action related to playing the playlist;

each video file server being configured to push video content from a selected video file in the video file server to a selected media server based on the playlist, wherein each video file server includes a virtual display driver, that appears to be a video display to the video file server, to translate video content into application independent video content, thereby not requiring the media server to decode pushed video content; and

each media server to translate the pushed video content into a video output signal suitable for display on the video display.

2.   The system of claim 1, wherein each media server further serves as a conversion agent to translate optionally pushed application specific video content into a video output signal suitable for display.

5.   The system of claim 1, wherein the logical actions execute in the video file server as a decision tree.

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6.   The system of claim 5, wherein the video server executes the at least one playlist based on the logical actions, and wherein the logical actions are configured at least in part by the web client.

7.   The system of claim 6, wherein the logical actions are configured at least in part in real time by a user using the web client.

8.   The system of claim 6, wherein logical actions further include inputs external to the video file server.

9.   The system of claim 1, wherein the logical actions further include a timed duration of playing the files.

10.   The system of claim 1, wherein the logical actions further include a time to initiate playing the files.

11.   The system of claim 1, wherein the logical actions further include a time to terminate playing the files.

12.   The system of claim 1, wherein the logical actions further include a number of times to play the files.

13.   The system of claim 8, wherein the inputs external to the video file server are mapped into application specific commands according to the format of the video file.

14.   The system of claim 1, wherein the video file further includes audio content.

15.   The system of claim 1, wherein the video content includes any combination from the set of Power Point, J-Peg, Video Clip, or Web formats.

16.   A video file server, comprising:

memory to store video files and at least one playlist, each video file including video content to be selectively displayed on at least one video display, each playlist including a list of identifiers for video files, a file server location of the video files, and at least one track, wherein the track includes an identifier to select one or more of the number of video files and includes at least one logical action related to playing the playlist; and

a processor executing application specific software to push the selected video content according to the playlist to at least one media server for display, wherein the processor includes a virtual display driver configured to translate video content into application independent video content, thereby not requiring the media server to decode pushed video content.

17.   The video file server of claim 16, processor is configured to optionally push application specific video content to the at least one media server for display.

18.   The video file server of claim 16, wherein the processor executes the at least one playlist based on the logical actions and wherein the logical actions depend in part on inputs external to the video file server.

19.   The video file server of claim 18, wherein the inputs external to the video file server are mapped into application specific commands depending on a format of the video file.

20.   The video file server of claim 19, wherein the application specific commands include any combination from the set of Play, Restart, Pause, Stop, Rewind, Fast Forward, Next File, Next Slide, Previous Slide, Mouse Click, Hyperlink and Go To New Playlist.

21.   The video file server of claim 20, wherein the inputs external to the video file server include messages received from the network.

22.   The video file server of claim 20, wherein the inputs external to the video file server include a prompt.

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23.   A method of distributing video information, comprising:

from a first network location, configuring a playlist of video files, the video files being stored in at least one second network location;

from the second network location, executing a playlist, wherein executing includes:

accepting application specific video content associated with a video file identified in a track of the playlist,

translating the video content to application independent video content according to at least one logical action included in the track of the playlist, and

pushing the video content to a third network location according to the playlist; and

from the third network location, translating the video content into a video output signal suitable for display.

24.   The method of claim 23, wherein executing the playlist further includes executing logical actions associated with initiation of display and termination of display of the video files.

25.   The method of claim 24, wherein executing logic actions includes the second location receiving external inputs that are mapped into application specific commands.

26.   The method of claim 25, wherein executing logic actions includes the second location receiving logic actions from the first location.

27.   The method of claim 25, wherein the application specific commands include any combination from the set of Play, Restart, Pause, Stop, Rewind, Fast Forward, Next File, Next Slide, Previous Slide, Mouse Click, Hyperlink and Go To New Playlist.

28.   The method of claim 23, wherein the first network location includes a web client.

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29.   The method of claim 23, wherein the second network location includes a video file server.

30.   The method of claim 23, wherein the third location includes a media server.

31.   The method of claim 30, wherein the first network location includes a computer and configuring a playlist includes:

downloading an existing playlist from the video file server at the second network location to the computer;

editing the playlist; and

uploading the edited playlist from the computer to the video file server.

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EXHIBIT APPENDIX

None.

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RELATED PROCEEDINGS APPENDIX

No decisions have been rendered in an Appeal related to the Notice of Appeal filed June 4, 2009, for related Patent Application Serial No. 10/621,153, entitled "Network Systems and Methods to Pull Video."